

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re:

Patrica Denise Boley Brown,

Debtor.

Case No. 19-36611-KLP
Chapter 7

Patricia Brown,

Plaintiff,

v.

AP No. 24-03003-KLP

Navient Private Loan Trust,
National Collegiate Student Loan Trust 2004-2,
National Collegiate Student Loan Trust 2005-3,
National Collegiate Student Loan Trust 2006-3,
Navient Solutions, LLC,

Defendants.

PRETRIAL ORDER

Counsel and/or the pro se parties¹ estimated the time necessary to conduct the trial of this case to be **one-half (1/2) day** (the “Estimated Trial Time”). As promptly as possible, the parties must advise the Court (1) if the time necessary to conduct the trial will exceed the Estimated Trial Time, or (2) if a settlement is reached in this case.

IT IS ORDERED that the following schedule is established in this adversary proceeding. Failure to comply with this Order shall result in appropriate sanctions.

¹ All references to “counsel” in this Pretrial Order shall be deemed to include any party acting pro se. All pro se parties must fulfill the requirements of counsel as those requirements are set for in this Pretrial Order.

1. The trial shall be held in the United States Bankruptcy Court, **Room 5100**, U.S. Courthouse, 701 East Broad Street, Richmond, Virginia, on **August 20, 2024** (the “Trial Date”), at **10:00 AM**.

2. The parties shall make the pretrial disclosures required under Rule 7026(a)(1) of the Federal Rules of Bankruptcy Procedure within **14 days** following the entry of this order.

3. On or before **21 days prior to the Trial Date** counsel shall meet at a mutually convenient location and make a good faith effort to narrow the issues in the trial and to enter into written stipulations of any uncontroverted facts (the “Stipulation”). The Stipulation (or in lieu thereof, a joint statement of counsel that no agreement as to any uncontroverted facts could be reached) shall be filed with the Court on or before **14 days prior to the Trial Date**.

4. Notwithstanding the provisions of Rule 7026(d)(1) of the Federal Rules of Bankruptcy Procedure, discovery may commence immediately and shall be completed on or before **21 days prior to the Trial Date**.

5. All motions for summary judgment and all other dispositive motions must be filed no later than **30 days prior to the Trial Date**.

6. Counsel shall make the disclosures of expert testimony required by Rule 7026(a)(2) of the Federal Rules of Bankruptcy Procedure no later than **60 days prior to the Trial Date**, or, if the evidence is intended solely to contradict or rebut evidence on the same subject matter identified by another party under Rule 7026(a)(2)(B) of the Federal Rules of Bankruptcy Procedure, on or before **21 days after the disclosure** made by the other party.

7. On or before **14 days prior to the Trial Date**, counsel shall file with the Clerk a list of proposed exhibits and the proposed exhibits. Unless the Court orders otherwise, the exhibits shall be filed in accordance with Richmond General Order 23-2.

8. Objections to any of the proposed exhibits shall be filed on or before **7 days prior to the Trial Date**. Exhibits to which no timely objection has been made will stand as admitted into evidence.

9. The Plaintiff shall file a list of witnesses in accordance with Rule 7026(a)(3)(A) of the Federal Rules of Bankruptcy Procedure that Plaintiff intends to call to testify at trial on or before **14 days prior to the Trial Date**; and the Defendants shall file a list of witnesses in accordance with Rule 7026(a)(3)(A) of the Federal Rules of Bankruptcy Procedure that Defendants intends to call at trial not later than **10 days prior to the Trial Date**. Plaintiff may file a list of rebuttal witnesses on or before **7 days prior to the Trial Date**.

10. The parties shall file a designation of those witnesses whose testimony is expected to be presented by means of a deposition and a redacted transcript of the pertinent portions of the deposition testimony on or before **14 days prior to the Trial Date**. Any other party may file counter designations of the redacted portions of the deposition transcript they deem relevant not later than **10 days prior to the Trial Date**. Objections to the use under Rule 7032(a) of the Federal Rules of Bankruptcy Procedure of a deposition so designated by another party shall be filed on or before **7 days prior to the Trial Date**.

11. Should a settlement be reached, counsel shall immediately file any motion required by Rule 9019 of the Federal Rules of Bankruptcy procedure for approval of the

settlement (the “Rule 9019 Motion”). The parties shall schedule a hearing to be conducted not later than **28 days after the Trial Date** to consider any Rule 9019 Motion and for presentation of a final order.

12. It is the responsibility of all counsel to be thoroughly acquainted with and follow the procedures set forth in the statutes, the national and local bankruptcy rules, and the requirements of the Judge.

13. The Clerk shall forward a copy of this order to counsel of record and pro se parties.

Any party not consenting to the entry of a final order by the Bankruptcy Judge shall file a Motion to Withdraw the Reference or for other appropriate relief within **30 days** of the entry of this Pre-Trial Order and shall promptly set the matter for hearing. The failure to comply with the terms of this paragraph shall be deemed to constitute consent to the entry of final orders by the Bankruptcy Judge.

SO ORDERED, this 10th day of April 2024.

/s/ Keith L. Phillips
UNITED STATES BANKRUPTCY JUDGE

Entered on Docket: Apr 11 2024

Brown,
Plaintiff
Navient Private Loan Trust,
Defendant

Adv. Proc. No. 24-03003-KLP

CERTIFICATE OF NOTICE

District/off: 0422-7

User: JillGlenn

Page 1 of 2

Date Rcvd: Apr 11, 2024

Form ID: pdford7

Total Noticed: 5

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 13, 2024:

Recip ID	Recipient Name and Address
dft	+ National Collegiate Student Loan Trust 2004-2, c/o Wilmington Trust Company Reg Agnt, 1100 N Market Street, Wilmington, DE 19890-1100

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	+ Email/Text: ustregion04.rh.ecf@usdoj.gov	Apr 12 2024 00:35:00	UST smg Richmond, Office of the U. S. Trustee, 701 East Broad St., Suite 4304, Richmond, VA 23219-1849
dft	Email/Text: TSIBNCBOX4275@tsico.com	Apr 12 2024 00:34:00	National Collegiate Student Loan Trust 2005-3, Transworld Systems Inc, PO BOX 96525, CHARLOTTE, NC 282960525
dft	Email/Text: TSIBNCBOX4275@tsico.com	Apr 12 2024 00:34:00	National Collegiate Student Loan Trust 2006-3, Transworld Systems Inc, PO BOX 96525, CHARLOTTE, NC 282960525
dft	+ Email/PDF: pa_dc_claims@navient.com	Apr 12 2024 01:00:49	Navient Private Loan Trust, P.O. Box 9640, Wilkes-Barre, PA 18773-9640

TOTAL: 4

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
dft		Navient Solutions, LLC
pla		Patricia Brown

TOTAL: 2 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 13, 2024

Signature: /s/Gustava Winters

District/off: 0422-7

User: JillGlenn

Page 2 of 2

Date Rcvd: Apr 11, 2024

Form ID: pdford7

Total Noticed: 5

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 11, 2024 at the address(es) listed below:

Name	Email Address
Jason Meyer Krumbein	on behalf of Plaintiff Patricia Brown jkrumbein@krumbeinlaw.com a30156@yahoo.com;plutzky@krumbeinlaw.com;jkrumbein@recap.email
Johnie Rush Muncy	on behalf of Defendant Navient Solutions LLC jmuncy@siwpc.com, dsasser@siwpc.com;ewhite@siwpc.com;bkrefferrals@siwpc.com;siwbkecf@siwpc.com;siwpc@ecf.courtdrive.com;siwattecf@siwpc.com

TOTAL: 2